

REMARKS

In the Office Action, the Examiner rejected claims 10-31. By this Response, Applicants have amended claims 10, 11, 24, 30, and 31. Upon entry of the amendments, claims 10-31 will remain pending in the present patent application. In view of the foregoing amendments and the following remarks, Applicants respectfully request reconsideration and allowance of all pending claims.

Rejections Under Section 102

In the Office Action, the Examiner rejected claims 10-31 under 35 U.S.C. § 102(b) as anticipated by the Nolan et al. reference (U.S. Patent No. 6,252,514; hereinafter “Nolan”). In rejecting the independent claims of the present application, the Examiner stated as follows:

Regarding claim 10, Nolan et al discloses an apparatus comprising: a leverage member pivotable (for example, see elements 210, 211, Figs 2-7) with respect to an electronic component, and a first engagement member (for example, see elements 218, Figs 2-7) located on a first side of a centerline of the electronic component and a second engagement member (for example, see elements 219, Figs 2-7) located on a second side of the centerline of the electronic component opposite the first side, wherein the first and second engagement members pivot with respect to the electronic component in response to the actuation of the leverage member (see Figs 2-7).

...

Regarding claim 17, Nolan et al discloses an apparatus comprising: an electronic component having a first electrical connector (for example, see elements 200,205 Figs 1-7).; [sic] a leverage member (for example, see elements 210, 211, Figs 2-7) pivotably coupled to the electronic component at a pivot joint; first and second biasing members (for example, see elements 218, 219, Figs 2-7) pivotably coupled to the electronic component at first and second nonadjacent edges, respectively; first and second linkage members (for example, see elements 222, 212, 223, 213, Figs 2-7) pivotably coupled to the leverage member and to the first and second biasing members, respectively; wherein the first and second biasing members cooperate to bias the first electrical connector between disengaged and engaged positions with respect to a second electrical connector in response to actuation of the leverage member (for example, see Figs 2-7).

...

Regarding claim 30, the methods disclosed therein are deemed as being inherent in the assembly and operation of the claimed apparatus since Nolan et al teaches or suggests all the elements of the claimed invention as recited.

Regarding claim 31, Nolan et al discloses a device comprising: means for synchronously pivoting first and second engagement members located on opposite sides of a computer component (for example, see elements 218, 219, Figs 1-7); means for leveraging the means for synchronously pivoting (for example, see elements 210, 211, 212, 222, 213, 223, Figs 1-7); to bias the first and second member cooperatively to bias the computer component between engaged and disengaged positions with respect to a computer device.

Office Action mailed July 22, 2005, p. 2, 4, 6, and 7 (emphasis in original).

Applicants, however respectfully submit that a *prima facie* case of anticipation has not been established, because Nolan does not disclose all of the features recited in the pending claims. As the Examiner will appreciate, anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *See Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *See In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Thus, the prior art reference also must show the *identical invention* “*in as complete detail as contained in the ... claim*” to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). Additionally, for anticipation, the cited reference must not only disclose all of the recited features but must also disclose the *part-to-part relationships* between these features. *See Lindermann Maschinenfabrik GMBH v. American Hoist & Derrick*, 221 U.S.P.Q. 481, 486 (Fed. Cir. 1984). Accordingly, Applicants need only point to a single element or claimed relationship not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter. A *strict correspondence* between the claimed language and the cited reference must be established for a valid anticipation rejection.

The Examiner will also appreciate that, during patent examination, the pending claims must be given an interpretation that is reasonable and consistent with the specification. *See In re Prater*, 162 U.S.P.Q. 541, 550-51 (C.C.P.A. 1969); *In re Morris*, 44 U.S.P.Q.2d 1023, 1027-28 (Fed. Cir. 1997); see also M.P.E.P. § 2111 (describing the standards for claim interpretation during prosecution). Indeed, the *specification* is “the primary basis for construing the claims.” *See Phillips v. AWH Corp.*, No. 03-1269, -1286, at 13-16 (Fed. Cir. July 12, 2005) (citations omitted). It is usually dispositive. *See id.* Interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach. *See In re Cortright*, 49 U.S.P.Q.2d 1464, 1468 (Fed. Cir. 1999); *see also* M.P.E.P. § 2111. That is, recitations of a claim must be read as they would be interpreted by those of ordinary skill in the art. *See Rexnord Corp. v. Laliram Corp.*, 60 U.S.P.Q.2d 1851, 1854 (Fed. Cir. 2001); *see also* M.P.E.P. § 2111.01. In summary, an Examiner, during prosecution, must interpret a claim recitation as one of ordinary skill in the art would reasonably interpret the claim in view of the specification. *See In re American Academy of Science Tech Center*, 70 U.S.P.Q.2d 1827 (Fed. Cir. 2004).

With the foregoing in mind, Applicants respectfully demonstrate below that Nolan does not anticipate the pending claims, the independent claims of which are addressed in turn.

Amended Independent Claim 10 and the Claims Depending Therefrom

For example, Applicants respectfully submit that Nolan does not disclose “first and second engagement members [that] are configured to cooperate with the chassis to provide an *engagement biasing force* and a *disengagement biasing force between the electronic component and the chassis*,” as recited in amended independent claim 10. (Emphasis added.) Instead, Nolan discloses an assembly in which the engagement members 218 and 219 of the cover 200 are capable of providing *only* a uni-directional force that engages the cover with respect to the device. Nolan describes its device as a system that “allows for significant leverage action to *apply insertion force* for large connector components, using smooth, easy action, withdrawing and inserting the slide.” *See* Nolan, col. 9, ll. 18-21. In the Nolan device, these insertion forces

are provided by the engagement member 218 engaging with a mechanical structure 610 on the chassis. *See id.* at col. 8, ll. 60-65. Specifically, the structure 610 includes a surface 612 within a cutout area 615 against which the hook 220 of the engagement member 218 applies an engagement force. *See id.* at col. 8, ll. 65-67. Although the Nolan device is thought to provide an engagement force, Nolan specifically states that “there essentially *no disengagement force* applied to the engagement members 218, 219 because of the sliding engagement of the lever arms 212, 213 with the pivot 211, and the relatively small distance traversed by this slide.” *See id.* at col. 6, ll. 64 to col. 7, l. 1 (emphasis added). Indeed, a review of FIGS. 6A-6C of Nolan well illustrates that there is no surface against which the engagement members 218, 219 can act to provide a disengagement force to the cover 200. Thus, Applicants respectfully submit that Nolan does not disclose all of the features recited in the instant claim.

Therefore, Applicants respectfully submit that Nolan does not anticipate amended independent claim 10 and its respective dependent claims 11-16. With the foregoing in mind, Applicants respectfully request reconsideration and allowance of claims 11-16.

Independent Claim 17 and the Claims Depending Therefrom

Additionally, Applicants respectfully submit that Nolan does not disclose “*a leverage member pivotably coupled to the electronic component... [and] first and second linkage members pivotably coupled to the leverage member and to the first and second biasing members...wherein the first and second biasing members cooperate to bias the first electrical connector... in response to actuation of the leverage member,*” as recited in claim 17. (Emphasis added.) Instead, the slide mechanism 210 and pivot pin 211 of Nolan— which are the elements the Examiner asserts are anticipatory of the claimed leverage member (*see* Office Action mailed July 22, 2005, p.4)— move only in a *linear* direction and, thus, do not pivot. The slide 210 and the pivot pin 211 attached to the slide 210 are restricted in movement by guides 208 and 209, which are located on opposite sides of the slide 210. *See* Nolan, col. 5, ll. 28-30; FIG. 2. As best illustrated by a comparison of FIGS. 2 and 3 of Nolan, actuation of the slide 210 and the pivot pin 211 mounted thereupon is wholly linear. Thus, neither the slide 210 nor the pivot pin 211 is *pivotably coupled*

to the cover 200. Thus, Applicants respectfully submit that, in contrast to the Examiner's assertions, neither the pivot pin 211 nor the slide 210 of the Nolan device is anticipatory of the leverage member recited in independent claim 17. Moreover, Applicants respectfully submit that no other component of the Nolan device is anticipatory of the leverage member of claim 17. Accordingly, Applicants respectfully assert that Nolan does not disclose all of the features recited in the instant claim.

Therefore, Nolan does not anticipate independent claim 17 or its respective dependent claims 18-23, 28, and 29. Based on the foregoing, Applicants respectfully request reconsideration and allowance of claims 17-23, 28, and 29.

Amended Independent Claim 24 and the Claims Depending Therefrom

Additionally, Applicants respectfully submit that Nolan does not disclose a biasing mechanism "cooperative with the chassis to provide *an engagement biasing force and a disengagement biasing force between the second computer component and the chassis*," as recited in amended independent claim 24 (Emphasis added). Instead, as is discussed above, Nolan discloses an assembly in which *only an engagement force* is provided. *See* Nolan, col. 8, l. 56 to col. 9, l. 21. Indeed, Nolan explicitly states that "*there is essentially no disengagement force applied to the engagement members 218, 219.*" *See id.* at col. 6, ll. 64-66 (emphasis added). Thus, Nolan does not disclose an assembly in which both an engagement biasing force and a disengagement biasing force are capable of being provided. Therefore, Nolan does not disclose all of the features recited in amended claim 24.

Accordingly, Applicants respectfully submit that Nolan does not anticipate amended independent claim 24 and its respective dependent claims 25-27. With the foregoing in mind, Applicants respectfully request reconsideration and allowance of claims 24-27.

Amended Independent Claim 30

Furthermore, Applicants respectfully submit that Nolan does not disclose the act of providing biasing members that “pivot in response to actuation of the leverage member to selectively provide *an engagement biasing force and disengagement biasing force on the computer component* in cooperation with the computer device chassis,” as recited in amended independent claim 30. (Emphasis added.) Instead, as is discussed above, Nolan discloses an assembly in which only an engagement force is provided. *See Nolan, col. 8, l. 56 to col. 9, l. 21.* Indeed, Nolan explicitly states that “there is *essentially no disengagement force applied* to the engagement members 218, 219.” *See id. at col. 6, ll. 64-66* (emphasis added). Thus, Nolan does not disclose the act of providing an assembly in which both an engagement biasing force and a disengagement biasing force are operably present. Therefore, Nolan does not disclose all of the features recited in amended claim 30.

Accordingly, Applicants respectfully submit that Nolan does not anticipate amended independent claim 30. With the foregoing in mind, Applicants respectfully request reconsideration and allowance of claim 30.

Amended Independent Claim 31

Respectfully, Applicants also submit that Nolan does not disclose “means for synchronously pivoting first and second engagement members cooperative with a computer device chassis to provide *an engagement biasing force and a disengagement biasing force on the computer component*,” as recited in amended independent claim 31. (Emphasis added.) Instead, as is discussed above, Nolan discloses an assembly in which only an engagement force is provided. *See Nolan, col. 8, l. 56 to col. 9, l. 21.* Indeed, Nolan explicitly states that “there is *essentially no disengagement force applied* to the engagement members 218, 219.” *See id. at col. 6, ll. 64-66* (emphasis added). Thus, Nolan does not disclose an assembly in which both an engagement biasing force and a disengagement biasing force are capable of being provided. Therefore, Nolan does not disclose all of the features recited in amended claim 31.

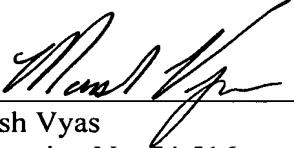
Accordingly, Applicants respectfully submit that Nolan does not anticipate amended independent claim 31. With the foregoing in mind, Applicants respectfully request reconsideration and allowance of claim 31.

Conclusion

If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: October 24, 2005



Manish Vyas
Registration No. 54,516
(281) 970-4545

CORRESPONDENCE ADDRESS:
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
Legal Department, M/S 35
P.O. Box 272400
Fort Collins, CO 80527-2400